

REMBRANDT TOWER
AMSTELPLEIN I
31ST FLOOR
1096 HA AMSTERDAM
P.O. Box 94361
1090 GJ AMSTERDAM
THE NETHERLANDS
Phone +31 20 592 4411
Fax +31 20 463 7296
www.howrey.com

DIRECT: +31 (0)20 592 4444
rasserk@howrey.com

MAIL STOP FOR MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 2213-1450
U.S.A.

Amsterdam, 23 December 2004

Dear Sirs,


U.S. Patent Appl. No. 10/790,691
Filed: March 3, 2004
For: Screening Apparatus
Inventor: David Grant Middleton
Our Ref. 07045.0002.00US00

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement - 4 pages
2. Form PTO/SB/08A Information Disclosure Statement by applicant
3. Translations (2x)
4. Cited documents 11 & 12

The US Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038.

Respectfully submitted,


Jacobus C. Rasser (Reg. No. 37043)



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Middleton

Serial No. 10/790,691

Confirmation No. 2309

Filed: 03/03/2004

Title: SCREENING APPARATUS

Group Art Unit: 1724

Examiner: not assigned

Atty. Dkt. No.: 07045.0002.00US00

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir,

Listed on accompanying form PTO/SB/08A and/or attached to this IDS are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

It is respectfully requested that the Examiner initial and return a copy of the attached form PTO/SB/08A, and indicate in the official file wrapper of this patent application that the documents have been considered

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached form PTO/SB/08A based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

The following items with checked boxes apply to this Information Disclosure Statement (IDS):

- ☒ 1. This IDS is being filed within three months of the U.S. filing date or entry of the national stage OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
- ☐ 2. This IDS is being filed more than three months after the U.S. filing date or entry of the national stage AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(1); or
 - ☐ b. I hereby state that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(2); or
 - ☐ c. The Commissioner is authorized to charge **Deposit Account No. 08-3038**, referencing the above docket number, in the amount of \$180 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the IDS be considered. The Commissioner is

authorized to charge **Deposit Account No. 08-3038**, referencing the above docket number, in the amount of \$180 in payment of the fee under 37 C.F.R. § 1.17(p).

- ☐ a. I hereby state that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(1); or
- ☐ b. I hereby state that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(2).
- ☒ 4. In regard to the relevance of non-English language document(s) listed on the enclosed form:
- ☐ a. For document(s) bearing Cite Nos. , a discussion is provided in the present specification.
- ☐ b. For document(s) bearing Cite Nos. , which was/were cited in search report(s) for corresponding foreign application(s), an English language version or translation of relevant portions of the foreign search report(s) is attached.
- ☐ c. For document(s) bearing Cite Nos. , counterpart application(s) in English is/are provided bearing Cite Nos. .
- ☒ d. For document(s) bearing Cite Nos. 11 and 12 an English language abstract is attached to the document(s).
- ☐ e. For document(s) bearing Cite Nos. an English language translation is attached to the document(s).
- ☐ f. For document(s) bearing Cite Nos. , a concise explanation of relevance is attached to the document(s).
- ☐ 5. The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed on , which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a

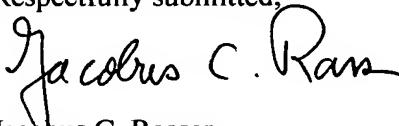
patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

- ☐ 6. Copies of document number(s) _____ was/were cited by or submitted to the Office in Application No. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 7. Additional document(s) that may be considered material to the examination of this application are enclosed in compliance with the duty of disclosure: _____.

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to **Deposit Account No. 08-3038**, referencing the docket number shown above.

The Examiner is respectfully requested to contact the undersigned by telephone at the number given below in order to resolve any questions.

Respectfully submitted,

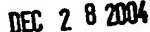


Jacobus C. Rasser
Reg. No. 37043

Date: 12/23/04

Customer No. 32894
Howrey Simon Arnold & White
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
USA

Phone: 703-663-3600



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Substitute for form 1449/PTO

(Use as many sheets as necessary)

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| Sheet | 1 | of | 1 |
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Complete if Known

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|------------------------|-------------------|
| Application Number | 10/790,691 |
| Filing Date | 03/03/2004 |
| First Named Inventor | Middleton |
| Art Unit | 1724 |
| Examiner Name | |
| Attorney Docket Number | 07045.0002.00US00 |

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | MM-DD-YYYY | | | |
| | 11 | DE 41 01 456 A1 | 07-23-1992 | Brombach | | |
| | 12 | EP 0 636 751 B1 | 02-01-1995 | Giehl | | |
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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.